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December 15, 2021

**By ECF**

The Honorable Gabriel W. Gorenstein  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: Chanel, Inc. v. The RealReal, Inc.; Civil Action No. 18-cv-10626-VSB-GWG

Dear Judge Gorenstein:

This law firm represents plaintiff Chanel, Inc. (“Chanel”) in the above-referenced matter. Pursuant to Your Honor’s Individual Practices Rule 2.E, we write to respectfully request that Your Honor issue an order permitting Chanel to file under seal certain documents referenced in Chanel’s Reply Memorandum of Law in Support of Motion to Stay Discovery Pending Resolution of Pending Dispositive Motion (“Chanel’s Reply”).

In Chanel’s Reply, Chanel relies upon and references documents produced by TRR and a letter exchanged by the parties’ counsel regarding discovery issues. Some of these documents have been designated as “Confidential” or “Attorneys Eyes Only” by TRR and TRR avers that these documents contain confidential, proprietary and sensitive business information of TRR and certain discussions between parties’ counsel which are not available to the public. Under this Court’s rules and the precedents of this Circuit, “[d]ocuments may be sealed if specific, on the record findings are made demonstrating that closure is essential to preserve higher values and is narrowly tailored to serve that interest.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-24 (2d Cir. 2006); *Standard Inv. Chartered, Inc. v. Fin. Indus.*, 347 Fed. App’x. 615, 616-17 (2d Cir. 2009) (“interest in protecting confidential business information outweighs the qualified First Amendment presumption of public access.”). Chanel has alerted TRR’s counsel of this intended filing and advised counsel that, if TRR desires to maintain these designations, TRR should submit support for its designations.

Per Your Honor’s Rules, Chanel will file the redacted versions of the above-referenced documents and serve the unredacted version on TRR and provide the Court with courtesy copies of the unredacted versions of the documents.



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For the foregoing reasons, Chanel respectfully requests that Your Honor permit the documents to be filed under seal. We thank Your Honor for your time and attention to this matter.

Respectfully submitted,

*/s/ Theodore C. Max*

Theodore C. Max

TCM:mo

cc: Counsel of Record